

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF MISSISSIPPI**

**RE: MICHAEL W. MONAGHAN, JR., DEBTOR CASE NO. 16-10941-JDW
CHAPTER 13 BK**

NOTICE OF MOTION TO MODIFY CONFIRMED PLAN

Should any party receiving this notice respond or object to said motion, such response or objection is required to be filed on or before December 27, 2019, with the Clerk of this Court using the CM/ECF system at the following address:

Shallanda Clay, Clerk of Court
U. S. Bankruptcy Court
Northern District of Mississippi
703 Hwy. 145 North
Aberdeen, MS 39730

and a copy must be served on the undersigned Debtor(s)' attorney. If no responses are filed, the Court may consider said motion immediately after the time has expired. In the event a written response is filed, the Court will notify you of the date, time and place of the hearing thereon.

CERTIFICATE OF SERVICE

I, James W. Amos, counsel for the Debtor(s), do hereby certify that I have electronically filed the foregoing with the Clerk of Court using the CM/ECF system, and I hereby certify that I either mailed by United States Postal Service, first class, postage prepaid, or electronically notified through the CM/ECF system, a copy of the above and foregoing to the creditors listed on the attached mailing matrix and to the following attorneys of record and/or parties of interest.

- 1) Locke D. Barkley
sbeasley@barkley13.com
- 2) U. S. Trustee
USTPRegion05.AB.ECF@usdoj.gov
- 3) Michael W. Monaghan, Jr.
4081 Jordan Creek Drive
Hernando, MS 38632

Dated this 27th day of November, 2019.

/s/ James W. Amos

James W. Amos, MSB No. 1559

Attorney for Debtor

2430 Caffey St.

Hernando, MS 38632

Phone 662-429-7873

jwamosattorney@aol.com

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF MISSISSIPPI**

**RE: MICHAEL W. MONAGHAN, JR., DEBTOR CASE NO. 16-10941-JDW
CHAPTER 13 BK**

MOTION TO MODIFY CHAPTER 13 PLAN

COMES NOW, Debtor, Michael W. Monaghan, by and through his attorney, James W. Amos, and files this motion to modify her Chapter 13 Plan and would show unto the Court as follows:

1. Debtor's leg was seriously injured on the job on August 6th, 2019 and he has not been able to work since. He will have to have surgery again for his injury within the next month which will cause him to not be able to work for at least the next three months.

2. Because of the financial hardship that this injury has caused, Debtor proposes to modify his plan by paying only his secured creditors until he is able to work again with the hope that this will decrease his monthly plan payment amount. Debtor estimates that he will not be able to go back to work performing light duty until at least March 2020.

WHEREFORE, Debtor prays that the Court will allow his Chapter 13 plan to be modified as stated above and that the Chapter 13 Trustee will adjust his monthly plan payments accordingly.

Dated this 27th day of November, 2019.

Respectfully submitted,

/s/ James W. Amos

JAMES W. AMOS MSB #1559
ATTORNEY FOR DEBTOR
2430 CAFFEY ST.
HERNANDO, MS 38632
PHONE: 662-429-7873

CERTIFICATE OF SERVICE

I hereby certify that I have this day mailed by U.S. Mail, postage prepaid, and/or via ECF, a true and correct copy of the above and foregoing MOTION TO MODIFY CHAPTER 13 PLAN to the creditors listed on the attached mailing matrix and to the following:

- 1) Locke D. Barkley
sbeasley@barkley13.com
- 2) U. S. Trustee
USTPRegion05.AB.ECF@usdoj.gov
- 3) Michael W. Monaghan, Jr.
4081 Jordan Creek Drive
Hernando, MS 38632

This the 27th day of November, 2019.

/s/ James W. Amos
JAMES W. AMOS